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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,643	10/17/2003	Daryl R. Sugden	064552.0237	1951
23640	7590	03/21/2006	EXAMINER	
BAKER BOTTS, LLP 910 LOUISIANA HOUSTON, TX 77002-4995			FERGUSON, MICHAEL P	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/688,643

Applicant(s)

SUGDEN, DARYL R.

Examiner

Michael P. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) 3-5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01/04/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Election/Restrictions*

1. Claims 3-5 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 15, 2005.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Orr (US 1,214,709).

As to claim 1, Orr discloses a wire rope and socket combination; comprising:

a wire rope socket **10**:

a rope formed of strands **a** of twisted wires extending into the wire rope socket;

strands **a**<sup>1</sup> of the twisted wires being bent over 180 degrees within the wire rope socket;

strand **a**<sup>2</sup> of the twisted wires remaining unbent (strand **a**<sup>2</sup> is not deformed or bent, instead the strand is non-deformingly bowed due to the natural malleability and flexibility of the material of the strand; page 2 lines 2-10) within the wire rope socket, wherein the selection of the number of strands of twisted wire bent over 180 degrees

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and the selection of the number of strands of twisted wire remaining unbent are made to set the breaking strength of the wire rope socket; and

babbit **19** securing the rope in the wire rope socket (Figures 1 and 4).

As to claim 2, Orr discloses a wire rope and socket combination wherein the wire rope socket **10** has a tapered bore, and the bent strands **a<sup>1</sup>** are bent in the direction of narrowing of the tapered bore (Figure 1).

4. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Shaw (US 5,136,755).

As to claim 1, Shaw discloses a wire rope and socket combination; comprising:

a wire rope socket **20**:

a rope formed of strands **11,13** of twisted wires extending into the wire rope socket;

strands **11** of the twisted wires being bent over 180 degrees within the wire rope socket;

strand **13** of the twisted wires remaining unbent within the wire rope socket, wherein the selection of the number of strands of twisted wire bent over 180 degrees and the selection of the number of strands of twisted wire remaining unbent are made to set the breaking strength of the wire rope socket; and

babbit **29** (formed by melting strands **11**; column 8 lines 51-58) securing the rope in the wire rope socket (Figures 8-11).

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As to claim 2, Shaw discloses a wire rope and socket combination wherein the wire rope socket **20** has a tapered bore, and the bent strands **11** are bent in the direction of narrowing of the tapered bore (Figures 9 and 11).

### ***Response to Arguments***

5. Applicant's arguments filed December 29, 2005 have been fully considered but they are not persuasive.

As to claim 1, Attorney argues that:

Orr does not disclose a wire rope and socket combination wherein *one or more of the strands of the twisted wires remain unbent within the wire rope socket*.

Examiner disagrees. As to claim 1, Orr discloses a wire rope and socket combination wherein strand **a<sup>2</sup>** of the twisted wires remain unbent (strand **a<sup>2</sup>** is not deformed or bent, instead the strand is non-deformingly bowed due to the natural malleability and flexibility of the material of the strand; page 2 lines 2-10) within the wire rope socket **10** (Figure 1).

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MPF  
03/14/06



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